

1 MORTON MCGOLDRICK, PLLC
2 820 "A" Street, Suite 600
3 P.O. Box 1533
4 Tacoma, WA 98401
5 (253) 627-8131

Hon. Mary Jo Heston
Chapter 13 Proceeding
Hearing Date: March 28, 2024
Hearing Time: 1:00 pm
Response Date: March 21, 2024

6
7 IN THE UNITED STATES BANKRUPTCY COURT FOR THE
8 WESTERN DISTRICT OF WASHINGTON

9 In re:

Case No. 23-41711

10 JAMES JACKSON and LUCAS JACKSON,

NOTICE OF HEARING AND OBJECTION
TO PROOF OF CLAIMS FILED BY
SARAH DEVOIR (#4) AND REGINA
ALONSO (#5) WITH PROOF OF SERVICE

11 Debtors.

12 TO: Clerk, U.S. Bankruptcy Court; Michael Malaier Trustee; Debtors; all creditors requesting
13 special notice; Sarah Devoir and her attorneys, Lisa Haba, James Marsh and Cori Iacopelli; and
14 Regina Alonso and her attorneys Lisa Haba, James Marsh, Margaret Mabie and Cori Iacopelli.

14 **NOTICE OF HEARING**

15 YOU ARE HEREBY NOTIFIED that the foregoing Motion will be heard at the United
16 States Bankruptcy Court, 1717 Pacific Avenue, Courtroom H, Tacoma, Washington, on **March**
17 **28, 2024, at 1:00 p.m.**, or as soon thereafter as the Court may direct, at which time you may appear
18 and offer your evidence and show cause why this Motion should not be granted.

19 IF IT IS YOUR INTENTION TO BE HEARD IN THIS MATTER, YOU MUST GIVE
20 WRITTEN RESPONSE TO THE CLERK OF THE COURT, 1717 PACIFIC AVENUE,
21 TACOMA, WA 98402 AND THE DEBTORS' ATTORNEY, MORTON MCGOLDRICK,
22 PLLC, 820 A STREET, SUITE 600, TACOMA, WA 98102, BY **MARCH 21, 2024**, OR YOU
23 WILL BE DEEMED TO BE IN DEFAULT AND AN ORDER ENTERED ACCORDINGLY.

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MORTON
McGOLDRICK
ATTORNEYS AT LAW

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P.O. Box 1533
Tacoma, Washington 98401
(253) 627-8131
Fax: (253) 272-4338

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OBJECTION

COMES NOW, Brett L. Wittner of Morton McGoldrick, PLLC, attorney for the above-mentioned debtors, and hereby objects to claim #4, filed by Sarah Devoir (“Devoir”) and claim #5 filed by Regina Alonso (“Alonso”). Debtors’ objection is based on the facts as follows:

CLAIM #4 FILED BY SARAH DEVOIR

On December 13, 2023, Devoir filed an unsecured claim in the debtors’ case with an unknown amount. Devoir attached a copy of the Jury Trial Demand filed in pre-bankruptcy litigation pending in the US District Court, Western District of Michigan. A judgment/verdict has not been rendered in this case.

Devoir’s claim should be amended to include the exact amount claimed as well as documentation to support that figure. If that figure is not yet known, Debtors request an evidentiary hearing to determine said figure so the debtors can proceed with confirmation of their plan. Absent an amended claim or an evidentiary hearing, Devoir’s claim should be denied in its entirety.

CLAIM #5 FILED BY REGINA ALONSO

On December 13, 2023, Alonso filed an unsecured claim in the debtors’ case with an unknown amount. Alonso attached a second copy of the claim form in lieu of supporting documentation.

Alonso’s claim number 5 should be denied in its entirety as an unsecured claim as it lists an unknown amount and does not include any documentation whatsoever to support the alleged claim.

WHEREFORE, Debtors request an order sustaining their objections to claim as follows:

1. Claim #4 of Sarah Devoir should be amended to include an exact amount claimed as well as documentation to support said figure or denied in its entirety as a general unsecured claim.
2. Claim #5 of Regina Alonso should be denied in its entirety as a general unsecured claim.

DATED this 22nd day of February, 2024.

/s/ Brett L. Wittner
Brett L. Wittner, WSBA #27657
Attorney for Debtors

CERTIFICATE OF MAILING

I, Jennifer Odom, declare under penalty of perjury that on the 22nd day of February, 2024, a copy of Debtors' Objection to Proof of Claims filed by Sarah Devoir and Regina Alonso and the accompanying Proposed Order were forward to the following parties via ECF Notice only:

Michael G. Malaier ecfcomputer@chapter13tacoma.org
United States Trustee USTPRegion18.SE.ECF@usdoj.gov

On the same date, the aforementioned documents were also delivered via regular and certified US mail, return receipt requested and postage pre-paid to the following parties:

Sarah Devoir c/o Lisa D. Haba The Haba Law Firm, P.A. 1220 Commerce Park Drive, #207 Longwood, FL 32779	Regina Alonso c/o Lisa D. Haba The Haba Law Firm, P.A. 1220 Commerce Park Drive, #207 Longwood, FL 32779
Cori Iacopelli Marsh Law Firm 31 Hudson Yards New York, NY 10001	James R. Marsh Marsh Law Firm 31 Hudson Yards New York, NY 10001
Margaret E. Mabie Marsh Law Firm 31 Hudson Yards New York, NY 10001	Lisa D. Haba The Haba Law Firm, P.A. 1220 Commerce Park Drive, #207 Longwood, FL 32779

Dated this 22nd day of February, 2024.

/s/ Jennifer R. Odom
JENNIFER R. ODOM

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